

## **AMENDMENTS TO THE CLAIMS AND CLAIMS LISTING**

Claim 1 (original). Apparatus for manufacturing a file folder which has an internal divider, said apparatus comprising:

first and second taping stations;

a conveyor for advancing to the first taping station and then to the second taping station a feedstock folder comprising: (a) a first folder panel and a second folder panel in a side-by-side, relationship with a gap therebetween, and (b) a first segment of tape extending lengthwise of the assembly, the tape being bonded to, and spanning the gap between, the first and second folder panels;

a transfer mechanism upstream from the first taping station, for placing a divider on, and aligning the divider relative to, the folder assembly;

there being mechanism at the first taping station for so applying a second segment of tape to the divider and folder assembly as to join a first side of the divider to the first panel of the folder;

said apparatus further comprising mechanism located between the first taping station and the second taping station for turning the internal divider about an axis extending lengthwise of the folder assembly to expose a second side of the divider; and

the second taping station comprising mechanism for so applying a third segment of tape as to join the second side of the internal divider to the second panel of the folder.

Claim 2 (original). Apparatus as defined in claim 1 in which each of the first and second taping stations comprises a pressure applying mechanism for promoting bonds between: (a) the tape segment applied at that station and (b) the divider and a panel of the file folder.

Claim 3 (original). Apparatus as defined in claim 2 in which the bond promoting mechanism of each taping stations comprises complementary press rolls so located along the path of the conveyor mechanism as to pass the joined divider and file folder through a nip between the pres rolls.

Claim 4 (original). Apparatus as defined in claim 1 which comprises mechanism downstream from the second taping station for rotating one of the folder panels about an axis extending longitudinally of the folder into juxtaposition to the internal divider of that folder.

Claim 5 (original). Apparatus as defined in claim 4 wherein the mechanism for rotating the one folder panel comprises a stationary plow extending in the direction of movement of said conveyor, said plow being located downstream from the second taping station.

Claim 6 (original). Apparatus as defined in claim 1 in which the apparatus for rotating the divider comprises a stationary plow extending in the direction of movement of said conveyor, said stationary plow being located between said first taping station and said second taping station.

Claim 7 (original). Apparatus as defined in claim 1 which comprises mechanism upstream from the first taping station for aligning the divider relative to the feedstock folder, the aligning mechanism comprising:

- a displaceable guide which can be moved to a first position to facilitate the placing of the divider on the file folder and subsequently to a second divider aligning position; and

- a second, stationary guide extending in the direction of movement of the feedstock folder assembly;

- said first and second guides being so relatively positioned that, with the first guide in its second position, said first guide biases said divider against the second stationary guide to align the divider on the feedstock folder.

Claim 8 (original). Apparatus for manufacturing a file folder which has first and second folder panels and an internal divider, said apparatus comprising:

- mechanism for securing the divider to the first and second folder panels;

- a conveyor for advancing a feedstock folder comprising a first folder panel and a second folder panel to the divider installing mechanism; and

- a divider transfer station upstream from the divider mechanism which has components for placing a divider on the folder panel assembly;

- the apparatus further comprising a source of dividers; and

- the transfer mechanism comprising an arrangement which has:

a first divider transfer mechanism for removing a divider from the divider sources, and

a second divider transfer mechanism for conveying the removed divider to and placing it on the folder assembly.

Claim 9 (original). Apparatus as defined in claim 8 in which the first divider transfer mechanism comprises a vacuum pickup.

Claim 10 (original). Apparatus as defined in claim 9 wherein the second divider transfer mechanism comprises:

a pivotally mounted member for displacing the vacuum pick-up and a divider held by differential pressure to the pick-up from the divider source to the feedstock folder;

the vacuum pickup being rotatably mounted to said arm; and

the transfer mechanism also comprising an arrangement for so rotating the vacuum pickup relative to said arm as the vacuum pickup and divider are displaced from the divider source to the feedstock folder as to position the divider face down on the feedstock folder.

Claim 11 (original). Apparatus as defined in claim 10:

wherein the mechanism for rotating the vacuum pickup and divider comprises a rotatable drive and driven elements and an endless drive member trained around the rotatable drive and driven elements;

the vacuum pickup being connected to the rotatable drive element for rotation therewith.

12 (original). Apparatus as defined in claim 8 which comprises elements for aligning the divider with the file folder assembly on which the divider is placed.

13 (original). Apparatus as defined in claim 11:

which comprises a conveyor for moving the feedstock folder along a path past the divider transfer station to the divider securing mechanism; and

mechanism for aligning the divider with the feedstock folder on which the divider is placed, said mechanism comprising:

a stationary member extending along the path of the feedstock folder;

a jogger which extends in the same direction as the stationary member, and

a mechanism operable following the placing of the divider on the feedstock folder panel to so move the jogger toward the stationary member that an edge of the divider is butted against the stationary member.

Claim 14 (original). Apparatus for manufacturing a file folder which has an internal divider, said apparatus comprising:

a taping station; and

a conveyor for moving a folder to and through said taping station a composite of:

(a) a feedstock folder panel comprising a first folder and a second folder panel secured in spaced apart, side-by-side relationship by a first segment of tape which spans a gap

between said panels and is bounded to apposite edges of the panels, and (b) a divider placed on the feedstock folder;

said taping station comprising:

a source of an adhesively faced tape;

a knife for severing a second segment of selected length from the tape; and

a mechanism for transferring the second segment of tape to the composite of divider/feedstock folder with: (a) an adhesively faced side of the second segment facing the composite, and (b) the second segment extending in the direction in which the composite is moved through the taping station; and (c) portions of the second tape segment lapping onto apposite edge portions of: (i) the divider, and (ii) one of the first and second folder panels.

Claim 15 (original). Apparatus as defined in claim 14 in which the source of the adhesive faced tape is an unwind roll.

Claim 16 (original). Apparatus as defined in claim 15 in which the first taping station comprises:

an arrangement for eliminating curl in the tape.

Claim 17 (original). Apparatus as defined in claim 14 wherein the mechanism for transferring the second segment of tape to the composite comprises a vacuum roll.

Claim 18 (original). Apparatus as defined in claim 14 which comprises:

mechanism for transferring tape from said source to said knife, said transferring mechanism comprising:

a metering roll for dictating the length of the second segment of tape.

Claim 19 (original). Apparatus as defined in claim 18 which comprises a driven pressure roll co-operable with the metering roll to pull tape from the unwind roll and direct that tape onto the vacuum roll.

Claim 20 (original). Apparatus as defined in claim 19 which comprises a tape advance mechanism for moving said pressure roll away from the metering roll and consequently halting the advance of tape to the vacuum transfer roll unless a composite has advanced to the taping station.

Claim 21 (original). Apparatus as defined in claim 20 in which said tape advance mechanism has an element for applying a braking force to the tape upstream from the metering roll when the advance of the tape is halted.

Claim 22 (original). Apparatus as defined in claim 21 in which the tape advance mechanism comprises a component operable with said pressure roll moved away from the tape to retract said tape from a location where the tape is severed by the knife.

Claim 23 (original). Apparatus as defined in claim 22 wherein:

the mechanism for transferring the second segment of tape to the composite comprises a vacuum roll; and

the tape retracting component has the capability of retracting the tape while leaving the tape secured by differential pressure to said vacuum roll.

Claim 24 (original). Apparatus as defined in claim 14:

wherein the second tape segment is faced with a water-activatable adhesive;

said taping station comprising a unit for spraying water onto said tape segment to activate the adhesive as that segment of tape is transferred to the composite by the vacuum wheel.

Claim 25 (original). Apparatus as defined in claim 24 in which the water spraying unit comprises a spray nozzle and a mask component for confining water exiting the nozzle to a pattern delimited by a window in the spray box.

Claim 26 (original). Apparatus for manufacturing an expansible file folder which has a front panel, a back panel, and a divider between the front and back panels, said apparatus comprising:

a pleating section; and

a conveyor for moving along a path through the pleating section a feedstock folder which has front and back panels, a divider between said panels, and tape segments forming a hinge at, and along, a first margin of the feedstock folder between: (a) said front panel and said divider, and (b) the divider and the back panel of the folder;



the pleating section having, for the tape segments between the divider and each of the feedstock folder panels, a creasing blade which extends in the direction of the path through the pleating section;

each creasing blade having an edge which engages and so increasingly displaces tape segments toward an opposite margin of the feedstock folder as the feedstock folder moves along the path through the pleating section as to crease and form a pleat in said engaged tape segments.

Claim 27 (original). Apparatus as defined in claim 26 in which the contour of the tape segment engaging edge of each creasing blade is described by an approximately hyperbolic curve.

Claim 28 (original). Apparatus as defined in claim 26 wherein:

said creasing blade is external to the feedstock file folder;

the pleating section has, between each of the folder panels and the divider, a pair of first and second internal creasing blades which lie above and below the external creasing blade and on opposite sides of the tape segments engaged by the external creasing blade;

the external creasing blade and the internal creasing blades having tape segment engaging knife edges; and

the knife edges of the external and internal blades being so relatively contoured that, as the feedstock folder moves through the pleating section, creases are formed by the external creasing blade and the first and second internal creasing blades.

Claim 29 (original). Apparatus as defined in claim 28 wherein the vertical distance between the first and second creasing blades is progressively so decreased in the direction of the folder travel through the apparatus as to match said distance to the creases in the tape segment.

Claim 30 (original). Apparatus as defined in claim 29 in which the external creasing blade and the first and second internal creasing blades are stationary components.

Claim 31 (original). Machinery for installing an internal divider between the front and rear panels of a folder assembly, said machine comprising:

first and second work stations and a conveyor for moving the folder assembly along a specified path to and through the first work station and then through the second work station;

there being mechanism at the first work station for taping one side of the divider to the folder;

the machine having a plow between the first and second work stations for so turning the divider as expose a second, untapped side of the divider; and

there being mechanism at the second work station for taping the second side of the divider to the folder.

Claim 32 (original). Machinery as defined in claim 31 which has a pleating section with devices for making the file folder expansible by forming pleats in tape segments between said divider and each of the folder panels.

Claim 33 (original). Machinery as defined in claim 32 in which:

the pleating section has creasing components along which the panels and the divider assembled to the panel are displaced to form pleats; and

a separator for the internal divider is located between the second work station and the pleating station component for aligning the divider with a passage between first and second of the pleating section creasing components.

Claim 34 (original). Machinery as defined in claim 33 which comprises mechanism downstream from the creasing components for so compressing the file folder as to set the creases made by said creasing components.

Claim 35 (original). Machinery as defined in claim 34 which comprises:

vertically arrayed components for supporting the front and rear folder panels and the internal divider in spaced apart relationship in the pleating section;

a set of complementary creasing components for engaging and forming creases in:  
(a) a first complement of tape segments between one of the folder panels and the internal divider, and (b) a second complement of tape segments between the internal divider and the other of the folder panels;

said machinery also comprising a mechanism for moving the folder relative to the crease forming components.

Claim 36 (original). Machinery as defined in claim 33 in which the pleating station comprises an arrangement for tipping the internal divider onto an upper one of the vertically arrayed components.

Claim 37 (original). Machinery for installing first and second internal dividers between the front and rear panels of a folder assembly, said machine comprising:

first, second, and third work stations and a conveyor for moving the folder assembly along a specified path to and through the first work station and then to and through the second work station and the third work station;

there being mechanism at the second work station for taping one side of the first divider to one of the folder panels;

there being mechanism at the second work station for taping the second divider to the first divider; and

there being mechanism at the third work station for taping the second divider to the other of the folder panels.

Claim 38 (original). Machinery as defined in claim 37 which has a pleating section with devices for making the folder expansible by forming pleats: (a) in the tape segments between each of the folder panels and the divider nearest each said folder panel, and (b) in the tape segments between the two dividers.

Claim 39 (original). Machinery as defined in claim 38 in which:

the pleating section has creasing components along which the panels and the dividers taped to said panels are displaced to form the pleats.

Claim 40 (original). Machinery as defined in claim 38 which comprises mechanism downstream from the creasing components for so compressing the file folder as to set the creases made by the creasing components.

Claim 41 (Cancelled).

Claim 42 (Currently amended). Apparatus as defined in claim 45 [41] which has a mechanism for forming pleats: (a) in a first portion of the tape hinge ~~tapes~~ between the front feedstock folder panel and the internal divider, and (b) in a second portion of the tape hinge ~~tapes~~ between the rear feedstock folder panel and the divider.

Claim 43 (Currently amended). Apparatus as defined in claim 45 [41] which has work stations for taping more than ~~at least one additional~~ divider between the front and rear panels of the feedstock folder.

Claim 44 (Currently amended). Apparatus as defined in claim 43 which has components for forming pleats in tape hinge segments ~~tapes~~ between the front and rear feedstock folder panels and the internal dividers nearest those panels and in one or more tape hinge segments ~~tapes~~ between the said dividers.

Claim 45 (New). Apparatus for manufacturing a compartmented file folder from components comprising: (a) a feedstock folder which has separate front and rear panels connected solely by a tape hinge which is located at one side of the folder and which

spans a gap between and laps onto the front and rear feedstock folder panels, and (b) a divider which is pivotably connectable to the tape hinge between the front rear panels of the feedstock folder and has the capability of partitioning a space between the front and rear feedstock folder panels into compartments:

the apparatus having work stations at which all of the operations required to convert the feedstock folder and the divider into a compartmented file folder are accomplished seriatim in a single pass of the file folder components through the apparatus and the apparatus comprising:

a first feedstock folder supporting and transporting conveyor configured to support a feedstock folder delivered to that conveyor in an orientation in which the front and rear feedstock folder panels lie in a side-by-side relationship and are separated by the tape hinge, and the tape hinge extends in a feedstock folder transporting direction of movement of the conveyor;

a first work station;

mechanism downstream from the location where the feedstock folder is delivered to the feedstock folder supporting and transporting conveyor for feeding a partition forming divider to the first work station;

the first work station comprising mechanism for taping one side of the partition forming divider at one edge of the divider in hinged relationship to the feedstock folder hinge;

a second work station downstream from the first work station comprising mechanism for taping a second, opposite side of the divider at the one edge of the divider in hinged relationship to the feedstock folder hinge; and

a single pass conveyor system comprising the feedstock folder and supporting conveyor for moving the folder components seriatim through the work stations of the apparatus.

### **REMARKS/ARGUMENTS**

Amended claims 42-44 and new, independent claim 45 are present for consideration by the Examiner. Claim 45 replaces original claim 41, and claims 42-44 have been amended to depend from claim 45.

Original claims 1-40 remain in the application. These claims have been held to be directed to non-elected inventions.

Withdrawal of the 35 U.S.C. rejections is believed to be in order and is accordingly solicited. The claim terms identified by the Examiner in the last paragraph, page 2 of the outstanding Action have been “defined” in detail in new, independent claim 45; and the letter “a” has been added to claim 42 where indicated by the Examiner.

Turning then to the 35U.S.C.-based rejections, newly presented independent claim 45 is clearly not anticipated by Blumberg. The machine disclosed in that reference does not have: a feedstock folder supporting and transporting conveyor of the particular type required by claim 45, first and second work stations as defined in the claim, mechanism as claimed for delivering a partition forming divider to a first work station or a single pass conveyor system for moving file folder components seriatim through first

and second work stations as defined in the claim. Nor does the Blumberg machine have work stations with mechanisms incorporated in the first and second work stations for respectively taping first and second, opposite side of the divider at one edge thereof in hinged relationship to a tape hinge between the front and rear panels of a feedstock folder.

It is also submitted that claim 45 is not anticipated by Blair. The Blair machine does not have any of the features of applicants claimed file folder manufacturing apparatus called for in claim 45 and identified in the preceding paragraph.

All that the Blair machine has is mechanism for taping together two pieces of paper such as the flyleaf and back leaf of a book. Even interpreted in the manner most inimical to applicants, this suggests nothing more than perhaps fabricating a feedstock folder with front and rear panels and a tape hinge, a construct employed as one component by applicants in manufacturing a compartmented file folder. Nothing in claim 45 or elsewhere in this application is in any way concerned with the manufacture of a feedstock folder of any type, let alone one of the character just described. Everything called for in claim 45 is instead a component of an apparatus for hingedly installing dividers in such feedstock folders. What the Blair machine does is concisely stated in lines 55-70 of column 1:

The principal objects of the present invention are to provide a machine for processing two or more different items or work pieces having sheets and arranged in respective stacks, with feed means for the stacks and transfer means to move the work pieces in successive order from the stacks to spaced apart positions on a defined path of travel and mechanism to effect movement of the work pieces along said path to an overlying substantially registering position with back edges in a selected relationship and then movement together as sets with one set closely spaced from another and back edges exposed, and glue and tip or plain tip and then apply a continuous strip of tape to margins adjacent said back edges and in folded overlying relation to said back edges to secure said work pieces of the sets together ....



Nowhere in Blair is there anything that teaches or even remotely suggest that anything else was ever contemplated by Blair.

Dependent claim 43 was also rejected as anticipated by Blair. By virtue of the claims limitations discussed above with respect to parent claim 45, this rejection is considered to now be untenable.

Furthermore, claim 43 is limited to an apparatus which specifically has work stations for installing two or more partition forming dividers in a feedstock folder. As the Blair machine is not capable of installing even one such divider, it is, *a fortiori*, not capable of so installing multiple dividers.

As far as the obviousness rejections are concerned, claims 42 and 44 are now considered clearly patentable over the combination of Blair and Blumberg because those claims include by reference the patentably distinguishing features of parent claim 45 discussed above; and there is nothing in that combination of references which would in any way lead one to compartmented file folder manufacturing apparatus with those claimed features.

Furthermore, claims 42 and 44 are limited to apparatus for so forming separate sets of pleats in a file folder tape hinge on opposite sides of an internal file folder divider that compartments on both sides of and delimited by the divider can be expanded. Nowhere is apparatus of this claimed character even remotely suggested by Blumberg or Blair or any imaginable combination of those references.

The obviousness rejection based on Schall et al. is also respectfully traversed. At best, what this reference discloses is a machine for assembling two layers 3a “which are constructed in one piece with one another” to a separate “back layer 2a” to form “congruent pockets 4a” on opposite sides of the back layer, lines 41-57, column 5. This machine does not have any of the features required by parent claim 45 and identified above in the discussion of the 35 U.S.C. 102-based rejection of that claim. Furthermore, as the Schall et al. machine has nothing for installing a partition forming divider between the front and rear panels of a feedstock folder as is required in parent claim 45, it clearly has nothing for so installing a multiplicity of such dividers; and mechanism for doing so is required by dependent claim 43.

Applicants totally disagree with the Examiner's unsupported contention that "a mechanical taping process is equivalent to gluing" in the context of applicants' claimed invention. How could the required hinging be obtained by gluing? How could pleating as specified in dependent claims 42 and 44 be effected? If the Examiner is to maintain this equivalency position, he should accordingly make support for his position of record.

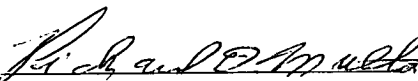
The remaining cited references have been reviewed by applicants' undersigned attorney. As those references were not applied, it is not seen that comments on them are needed at this time. However, should the Examiner wish, the undersigned is prepared to promptly supply such comments.

For the reason discussed above, it is believed that the elected claims now pending in this application comply with the requirements of 35 U.S.C. 112 and that those claims are clearly patentable over the references of record. Favorable reconsideration of the application is therefore considered to be in order and is accordingly solicited.

Signed at Shelton, County of Mason, State of Washington, this 28<sup>th</sup> day of December, 2005.

Respectfully Submitted,

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